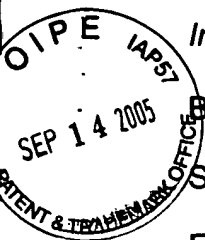


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:)

Beat FLÜHMANN *et al.*)

Serial No.: 10/766,118)

Examiner: K.E. Weddington

Filed: January 27, 2004)

Art Unit: 1614

For: **PHYTANIC ACID DERIVATIVE
COMPOSITIONS AND METHOD OF
TREATING AND/OR PREVENTING
DIABETES MELLITUS**)

New York, New York
September 12, 2005

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record the following documents (clean copies

and a Form PTO-1449 listing the documents are enclosed):

09/15/2005 AKELECH1 00000018 10766118

01 FC:1806

180.00 0P

OTHER DOCUMENTS

- C7 C. Dreyer *et al.*, "Control of the Peroxisomal β -Oxidation Pathway By A Novel Family Of Nuclear Hormone Receptors," Cell, vol 68, no. 5, pp. 879-887 (1992).
- C8 P. Ellinghaus *et al.*, "Phytanic Acid Activates The Peroxisome Proliferator-activated Receptor α (PPAR α) In Sterol Carrier Protein 2-/ Sterol Carrier Protein α -deficient Mice," J. Biol. Chem., vol. 274, no. 5, pp. 2766-2772 (1999).

- C9 S. Kitareewan *et al.*, "Phytol Metabolites Are Circulating Dietary Factors That Activate The Nuclear Receptor RXR," Mol. Biol. Cell, vol. 7, pp. 1153-1166 (1996).
- C10 J.M. Lehmann *et al.*, "An Antidiabetic Thiazolidinedione Is A High Affinity Ligand For Peroxisome Proliferator-activated Receptor γ (PPAR γ)," J. Biol. Chem., vol 270, no. 22, pp. 12953-12956 (1995).
- C11 P.K. Lemotte *et al.*, "Phytanic Acid Is A Retinoid X Receptor Ligand," Eur. J. Biochem., vol. 236, pp. 328-333 (1996).
- C12 H. Vuorinen-Markhola *et al.*, "Lowering Of Triglycerides By Gemfibrozil Affects Neither The Glucoregulatory Nor Antilipolytic Effect Of Insulin In Type 2 (Non-insulin-dependent) Diabetic Patients," Diabetologia, vol. 36, pp. 161-169 (1993).
- C13 R. Mukherjee *et al.*, "Sensitization Of Diabetic And Obese Mice To Insulin By Retinoid X Receptor Agonists," Nature, vol. 386, no. 27, pp. 407-410 (1997).
- C14 C. Wolfrum *et al.*, "Phytanic Acid Is Ligand And Transcriptional Activator Of Murine Liver Fatty Acid Binding Protein," J. Lipid Res., vol. 40, pp. 708-714 (1999).
- C15 A.W. Zomer *et al.*, "Pristanic Acid And Phytanic Acid: Naturally Occurring Ligands For The Nuclear Receptor Peroxisome Proliferator-activated Receptor α ," J. Lipid Res., vol. 41, pp. 1801-1807 (2000).

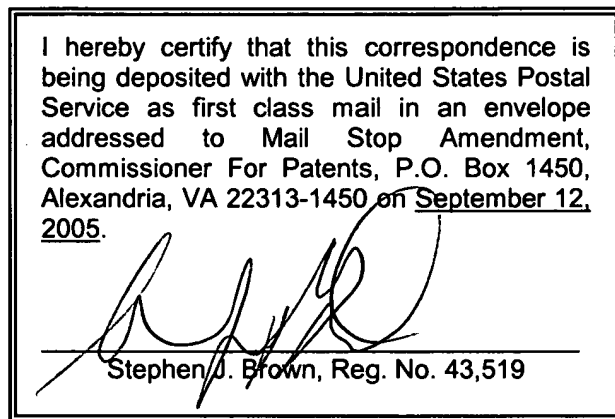
The Examiner's independent consideration of all of these documents and their relevance before issuance of the next official action on the merits is respectfully requested. The Examiner is also requested to initial and return a copy of the accompanying form PTO-1449 to evidence such consideration.

This Supplemental Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(c), after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of either: (1) a final action under § 1.311; or (2) a notice of allowance under §1.311, whichever occurs first.


This Supplemental Information Disclosure Statement is accompanied by the \$180.00 fee set forth by 37 C.F.R. § 1.17(p).

If our check is missing or otherwise insufficient, or if a check has not been submitted but it is determined that a fee is required as set forth in 37 C.F.R. § 1.17(p) or 1.17(i)(I), or if any additional fees are required, please charge such fee (or credit any overpayment) to Deposit Account No. 02-4467. A copy of this sheet is enclosed.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.



Respectfully submitted,

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Form PTO-1449
(Rev.)U.S. DEPARTMENT OF COMMERCE
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ATTY. DOCKET NO.:

20722 US1 (C038435/0175476)

SERIAL NO.:

10/766,118

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S):

Beat FLÜHMANN *et al.*

FILING DATE:

January 27, 2004

ART UNIT:

1614

U.S. PATENT DOCUMENTS

| Examiner Initial | Cite No. | U.S. Patent Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate |
|------------------|----------|-----------------------------|------|------|-------|----------|----------------------------|
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FOREIGN PATENT DOCUMENTS

| | | Document Number | Date | Country | Class | Subclass | Translation | |
|--|--|-----------------|------|---------|-------|----------|-------------|----|
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| C7 | C. Dreyer <i>et al.</i> , "Control of the Peroxisomal β -Oxidation Pathway By A Novel Family Of Nuclear Hormone Receptors," <u>Cell</u> , vol 68, no. 5, pp. 879-887 (1992). |
| C8 | P. Ellinghaus <i>et al.</i> , "Phytanic Acid Activates The Peroxisome Proliferator-activated Receptor α (PPAR α) In Sterol Carrier Protein 2-/ Sterol Carrier Protein x-deficient Mice," <u>J. Biol. Chem.</u> , vol. 274, no. 5, pp. 2766-2772 (1999). |
| C9 | S. Kitareewan <i>et al.</i> , "Phytol Metabolites Are Circulating Dietary Factors That Activate The Nuclear Receptor RXR," <u>Mol. Biol. Cell</u> , vol. 7, pp. 1153-1166 (1996). |
| C10 | J.M. Lehmann <i>et al.</i> , "An Antidiabetic Thiazolidinedione Is A High Affinity Ligand For Peroxisome Proliferator-activated Receptor γ (PPAR γ)," <u>J. Biol. Chem.</u> , vol 270, no. 22, pp. 12953-12956 (1995). |
| C11 | P.K. Lemotte <i>et al.</i> , "Phytanic Acid Is A Retinoid X Receptor Ligand," <u>Eur. J. Biochem.</u> , vol. 236, pp. 328-333 (1996). |
| C12 | H. Vuorinen-Markhola <i>et al.</i> , "Lowering Of Triglycerides By Gemfibrozil Affects Neither The Glucoregulatory Nor Antilipolytic Effect Of Insulin In Type 2 (Non-insulin-dependent) Diabetic Patients," <u>Diabetologia</u> , vol. 36, pp. 161-169 (1993). |
| C13 | R. Mukherjee <i>et al.</i> , "Sensitization Of Diabetic And Obese Mice To Insulin By Retinoid X Receptor Agonists," <u>Nature</u> , vol. 386, no. 27, pp. 407-410 (1997). |
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| C15 | A.W. Zomer <i>et al.</i> , "Pristanic Acid And Phytanic Acid: Naturally Occurring Ligands For The Nuclear Receptor Peroxisome Proliferator-activated Receptor α ," <u>J. Lipid Res.</u> , vol. 41, pp. 1801-1807 (2000). |
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EXAMINER

DATE CONSIDERED

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.